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United States International Trade Commission

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Annual Report 1980

United States International Trade Commission



Annual Report 1980 United States International Trade COMMISSIONERS

Trade M Commission C

Bill Alberger, Chairman Michael J. Calhoun, Wor Chairman Catherine Bedell

Paula Stem Alfred E. Ecker

Alfred E. Eckes, Jr. Eugene J. Frank

Kermeth R. Mason Secretary to the Commission

Address of communications to United States International Trade Commission Washington, D.C. 20436

LISITC PUBLICATION 1084

Photo medic making "like hearings and nutside wich cover. No. fundament page ir Tenesa Zalnes, Nors York Times



Marrison of the Commission on Sevender St. 1981, sell to right Commissioners Michael J. Calhour, Bit Alberger, Celherre Bedell, Paula Dern, and George M. Munis





The international Trade Commission completed one of the heaviest caseloads in its 65-year history during fiscal year 1980. It was, pethaps, the Commission's busiest year ever. The Commission's caseload increased sharply over that in fiscal year 1979, when 62 investigations were completed. In fact, the Commission's caseload more than doubled during fiscal year 1980 with the completion of 142 investigations. These included 108 articlumping and countervaling duty and 13 untair trade practice cases.

Statutorily mandated, import-related investigations continued to constitute the largest segment of our workload. Our unusually wide range of activities during fiscal year 1980 was a direct outgrowth of the Commission's expanded responsibilities resulting from the perssage of the Trade Act of 1974 and the Trade Agreements Act of 1979. One of the major Commission programs currently underway is our work on the Hermonized Commodity Code, now being negotiated in Brussels. This is the largest nomenclature-related activity undertaken by the Commission since the formulation of the revised Tariff Schedules of the United States in 1962. Moreover, in response to requests from the President and the Congress, the Commission continued to broaden its investigative access to bring its commodity and economic expertise to bear on a number of specific trade issues and provide a sound body of factual material to put at the disposal of those responsible for formulating and implementing U.S. trade policy.

In summary, during 1980 we chanted a course of action that allowed us to produce high-quotity work on a constantly increasing number of investigations. That the Commission met the challenges before it with a modest rise in staff is offributable to the pride and professionalism of the men and women who worked with the Commission.

Bill Alberger Chairman

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BiD Albruga

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summary

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In the thorough economic scruliny of the commodities it investigated. The Commission used its research, investigative, determinative, and remedial resources to fulfill its role as an independent agency with guest-judicial responsibilities. To get the facts and to insure that all sides to an issue are heard, extensive fieldwork was completed, and scores of public hearings were held in Washington, D.C.

As a fectiveling agency, the Commission has broad powers to study and investigate—

- All factors relating to U.S. foreign trade and its effect on domestic production, employment, and consumption; and
- The competitiveness of LLS products.

The Commission's mission is to contribute to the development of U.S. international tracks policy in a mammer that is assurably based and as equitable as possible to all concerned. By statute, the Commission may act on its own initiative or at the request of the President, the Committee on Finance of the U.S. Senate, or the Committee on Weys and Means of the U.S. House of Representatives.

The Commission staff numbers about 400 individuals who represent a divergence of professions, including altorneys, economists, investigators, commodity analysis, and data system programms. Their primary function is to gather facts and evaluate data to assist the Commission in its determinations.

Commission activities cover a broad range of renjumsbillies, molustry—

- Investigating aligibility of and recommending appropriate import ration for domestic industries.
- Taking action against unlair practices in import trade, including the importation and sale of terms at less than feir value or the importation of terms whose production or export was subsidized by a toward government.
- Conducting studies on trade and tariff issues relating to U.S. towign trade.
- Assisting in the development of uniform statistical data to achieve comparability of import, export, and domestic production statistics.

The Commission receives opinions and comments on frade langes and policies. It also provides technical and factual information on trade matters. Through public hearings and by other means, the views of interested and affected prenties such as latter, industry, agriculture, importers, and consumers are represented, considered, and evaluated in providing the Commission's technical assistance and advice to the President and the Compress.

Pictorial pron

Fiscal year 1980 marked a milestone in the 64-year history of the United States international Trade Commission. The agency's caselized scients to a record level with the completion of 142 investigations. More than three-fourths of these import-related cases (198) involved antidumping and cour" arising duty investigations and identified from the Commission's expended role under the Trade Agreements Act of 1975. The year also was distinguished by petitions requesting import reful from basic industries—like paid and automobiles—that had a significant impact in the domestic except. The completed investigations directly involved about \$4.5 billion in trade from the countries afforded and indirectly involved over \$7.5 billion in import trade.

Carbon steel

- (1) During a year correspondent for its high public weaking the Conmission companied a preliminary ambiumoing investigation on carbon tient products from Birigium, the Federal Republic of Germany, France, Refs. Luxerbourg, the Netherlands, and the United English.
- (2) The opening round in the United States Steel Corporation conplems exerted with delivery of patitions and documentation to the bateric USTC building. The multibilion dollar coses represented a maneine volume of trade and concerned five product times from the European Community countries.
- (b) The corporation's counsel John J. Stengen brought the multiple centure of patitions to the Office of the USITC Secretary for processing by dischell shall fluidy Domine.









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(R) A distribing room any audience attended the mustigatus contained otherwise by Director of Operations Charles Evin, which gave opposing parties on apportunity to present partners facts and data.













(%) Compressional witnesses included Representatives Adam Bargamen, D.-Incl., (%) John H. Buchanan, D.-Incl., and (?) Joseph M. Gaydon, D.-Fe. (%) Enversor of Missi Virginia John D. Rossentation, N., and (%) Chairman of the Disc House steel test force from Carney also testified.

(10) Trade elstomey Africal R. McCauley made the presentation on sehalf of time approach to the petitions for import ratiol, augmented by (11) comments from counsel David Rossiban.





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Антиргова атторпів

(1) Month removance and ritidate Dr. Armand Institute, seated, right, seathed during the Commission's March 26, 1980, hearing concerning alleged monter disruption by imports of armydrous ammons from the U.S.S.R. The Countertool Pennseum Corporation board charmen accessed at the second of two such USIRC investigations completed during the facial year.





Mushroome

(3) Sensor Richard S. Schweiter right and Representative Richard T. Schwise Republicane of Permisulvania were in the varioused of extremes requirem import small to the Reviews State's multicount produces and processors. The excess clause: investigative hearing was base in Stationary D.C. on July 31, 1980.

Portable electric typewriters

(b) Weathington, D.C., altorrary H. William Tensine gives rept attention to Commission quantitioning at the right 22, 1980, hearing concerning inports of g⁻⁻ electric typewriters from Japan. The articularity insestigation—waged that the important products materially injuried the domestic includity.



Automobiles

(1-4) The ayes of the world tracing community were spec the Commission as it combusted an investigation on important motion witholes, chasses, and bookes under the Toxics full of 1874. The Similar Automobile Microary and funds in their "except import pullians and higher during an own care, and trucks in their "excepts clouder" petitions that with the USTC. The Commission's investigation of the STS Sifteen demands market began on June 30, 1985, and was in progress as the facel year embed Commissioners and investigative soult, assuing firsthand facts about the domisation mobilety, started U.S. auto manufacturing plants in Wasserson, Michigan, and films Jersey.





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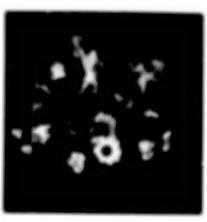




Fictions

(1, 2) The subject was nown—heath out nown, to be precise—during the Commission's 'except clears' reventigation of disapplicates by some 250 U.S. predictors that imported rooms were a substantial cause or threat of serious study to the dominate including. The exhibits were unfountedly the most beautiful commissions evaluated by the Commissioners during the year.





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The U.S. International Trade Commission is authorized by law to investigate all aspects of international trade involving the United States. During facal 1980, investigations were conducted under provisions of the Trade Agreements Act of 1979, the Trade Act of 1974, the Tariff Act of 1980, and the Antidumping Act, 1921.

TRADE AGREEMENTS ACT OF 18791

The Trade Agricultural Authorized of 1976 contained a new bank compensation for Sensettine Intermitted with rates of duty adjusted to reflect the adjustments with the adjustments of substance of the adjustments of the adjustment of adjustment of the adjustment of adjustment of the adjustment of ad

On August 10, 1979, the Commission instituted an investigation under section 225 of the Trade Agreements Act of 1979 (investigation No. 225-1), with respect to the dutiable status of certain benominoid chemical imports from Switzerland and the European Community following receipt of a request from the United States Trade Representative.

The Commission reviewed lists of chemicals provided by Switzertend and the European Community with regard to the U.S. customs treatment of each chemical during 1976, 1977, and 1979. Following the review, the Commission determined which chemicals satisfied the criteria stated under section 225 and submitted its findings in a report to the President and the United States Trade Representative on January 7, 1980.

TRADE ACT OF 1874"

Advice to the President

Section 101 of the Tracks duri of 1978 graphs the Precident pullburity or arrive track agreements in one of to modify or continue outding duties or duty-free freement. Provide emering trice such agreements the Precident is required pursuant to section 101 of the Tracks duri of 1979, to turnish the U.S. International Tracks Commission with late of priviles or within the duty may be modified or continued. The Commission in turning turnish the Precident, within 6 months, its advice as to the probability accounts of south modifications or commission on includings and commission of south modifications or commission on includings and commission.

On October 26, 1976, and April 7, 1980. the Commission received

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from the United States Trade Representative tests of articles for possible trade-agreement regotiation. The lists included fresh, chilled, or tropen vegetables. The Commission instituted investigators Nos. TA-(21(p)-3 and TA-(21(p)-4 on November 6, 1979, and April 14, 1980, respectively, to provide the President with the required information and advice. The Commission transmitted its confidential reports on the respective investigators to the President on December 20, 1979, and June 16, 1980.

Section 800° of the Tracks Aut requires that the Prescript, from time to time, furnish the Commission with feet of entires which may be provided 6,55 feet freezest under providing of a Denomic cost Superior of Professions. The Commission must then extres the Prescription as in the profession excriming affect on installines and or computers of proving these professionals for section into these if imported from countries to sect entire tensor if imported from countries discountries to the Prescription as isotophysical to the Prescription of the Prescription and the Prescription of the Prescription o

On December 7, 1978, the United States Trade Representative furnished the Commission with a list of certain articles to be considered for inclusion in the Generalized System of Proferences. The Commission initiated investigations Nos. TA-903(a) 6 and 332-107 on December 20, 1978, and transmitted its confidential report to the President on March 10, 1980.

Relief From Injury Causer's by Import Competition

Section (8) 7 of the Track dut of 1974 provides making attended rated mad be enought for the purarrise of facilitating animals adjustment to import exemplately a regally assessmentally from partitions of remaignable unturn or group of workers or after entity which is representative of an industry may his a excition to make only What applicable the Evenmission is resultant to repainting whatter go getting e being missired into the thouse bises in earth mirespec quantities as in se a automortis reuse of service must so the through therus? to a domination metuatry producing an artists like in directly comestitue with the important gritine. If the Euromoscore determines in the offirmation it must free the amount of the numbers of the continue of the state of the decimination on guide griding which is represently to one with a remarkly such much 6 recommend the areargini et pricement assessment le firms workers er se insultities circles assistant (66) if the Proceeding assumments to provide import what for the installing the shell (1) proclaim an increase in, or impossition of a dusty on the entire concerned, (2) proclaim a surficient space. (3) impose or mostly a quantitative manufactor on imports, (4) imposes on orderly manufactors of authorities. (5) take any commitment of auth actions if the Proclaim stone not processed in the form recommended to the Commission. The Congress can, by approval of a consument measure. (5) the Proclaim of the Commission of the Proclaim of the construction of the Proclaim of the Commission of the Proclaim of the Commission of the C

During fiscal 1980, the Commission conpleted five investigations under section 201 within the 6-month statutory time limit, Tuble 1 shows information on the investigations completed during the year.

One section 201 investigation was in progress at the close of the year, No. 19-201-44. on certain motor wehicles and certain chassis. and bodies therefor. The Commission insttuted the investigation on June 20, 1980, fultowing the receipt, on June 12, 1980, of a patition for import relief field by the International Union, United Automobile, Aerospane, & Apricultural Implement Workers of America. On August 4, 1980, the Commission received a petition for similar import relief from the Ford Motor Co. Natice of the Ford petition and the Commission's consideration of Ford as a copetitioner in the investigation pheatly underway was published in the Federal Register of Auguer 21, 1980.

Section \$55(1)(3),² of the Tracks for of 10°/s in part annualise that upon required of the Processors or upon to some resistant the Commission shall accuse the Processors of the polyment as is the annualise accurate differ on the industry consuminate of the accessors replication or formination of the import color annualises accurately to the section.

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During facel 1980, the Commission, upon recept of a request from the domisatio indus-

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Table 1 -- Investigations completed writer sec. (81) of the Trade Act of 1974, Secul year 1986.

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Total quality arrounds to a 4-year about a 45 million according to the first a date. If across about the 40 million in the first age.

the subsumes are southern \$11 massive on The request for the investigation (%). This 200-& was received on December 17 H1/9 and the public hearing was rurid on March 5 and 6. 1980. In the Commission's report," which was transmitted to the President on Mily 20, 1980. Commissioners Alberger, Calhoun, Moon, and bern advoced the President that serrington of the impact relief in effect with respect to color BOOKS OF THE PROPERTY AND THE PERSON public of force would have an adverse mount on the domentic industry producing buch arlutes. The Commissioners also advised the Frequent tig terminature of the impain railed in principle and regularity in colors describing receiving from Jacan would have little. If any, adverse INDEX OF THE ROMERON PROCESS CONTRACTOR Bookii did not perturpose in the use in order to execute grow a regularity or graces grove of non-THE OF STREET

By Proclamation No. 6788 of June 30, 1980, the President extended the temporary quantita-tive limitations in color between receivers and certain subsequentiles thereof, the products of the frequency of forces and Tawan. The proclamation was sound pursuant to the President's decision to extend orderly marketing agreements covering such products.

Litigation Arising in Connection With Section 201 of the Trade Act of 1972

Litigation began in 1877 challenging the validity of orderly marketing agreements respitated by the President limiting business imports from Tawan and the Republic of Korea was compressed in facial 1880 (Decarer Circus, the., of at a Carten, of at, 467 f. Supp. 571 (E.S.N.Y. 1878), after 614 f. Sa 1780 (24 Cp.

15/10). I The Commission was named as a party in that action. Plantiffs had alleged, among other things. But the Commission had not foltimed proper procedures in, and did not have a pruper basis for, determining that "grad cause" avisted within the merrying of section. 201(st) of the Tradic Act of 1874 (18 U.S.C. 2057(zs)) for melituring a less footweer investipation within 1 year of completing an earlier investigation. The U.S. Dietrich Court for the Eastern District of New York Yound for the Goverrinent on the merits, finding among other things that the Commission had acted properly in decisions the good-cause question. The U.S. Court of Assessit for the Second Circuit affirmed the distinct court's action.

Warket Disruption Investigations

Two market disruption investigations on miports of anhydrous ammonia from the Source Union were conducted by the Commission during the focal year. They are summerced in some 2

Each West Trade Statistics Wonlinning System.

Society and the Trapels due of 1979 day, read the Commission to administrating one magnitude a program to maintain program for principle fractions assumed the principle States and the recommenda according a contract and the maintains give to a perfect a contract a contract at a program to the terminative the main according to the according according according to the terminative the according according to the terminative that according according to the terminative according to

The Commission submitted four reports on Eacl Minor trade to the Compress in facin' 1980 pursuant to section 410 of the Trade Act of 1974. The 20th quarterly report was also submitted to the Eacl-Minor Euroopi Trade Board.

This results Worker of Sileron interrigions grow that is a second of the control of the control

From Takenson Mesonato pro Symbolimeno. Mesoti is into Paradici di Inganigation foi 10 9556 — (1875 Reproprier 1988) 1880

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Table 3 -- Transfigations completed under sec. 466 of the Trade Act of 1674, fusual year 1984.

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THE REPORT OF THE PARTY PROPERTY. Trade Bright was abilitized and to functions were transferred to the Trade Policy Committion The Piles DOM and D'00 must let to the wife were automitted to the Trade Pulliny Committee The faur resultes are as falliums

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Problems gry truspet gatures Utrible Sporture 8000 T all this Trapito Aut of 1879.

During fiscal year 1980. His Commission кименния чил плавтрання вимен вкини 800 AP THE THESE BUT OF 1878 PANESTUREND BY EXD TALL OF EDITION ENGINEERS From Jacks was mainuted on Fabruary 12, 1980, to myestpale certain aspects of the castium pertolitenare market in the United States and to determine whether charges by Symbo Corp. might ment a section 207 investigation, in settle of the paucity of hand information in the complant Ch August 6, 1960, If was determined that there are no unique mathematical membersham or unitar parts in this importation and bats of the product by Wilson & Co. Man Pharmachuled. or other companies, the affect or lendancy of which is to restroy or substantially more go industry, efficiently, and accommissibly specified in the United States, or to present the establightness of quark per melustry, or in realism of managed as figure good commerce in the United trans it was recommended that the senton \$300 investigation has terminated and that the CHRISTOPH FOR SECURE DE 1/16 AND SE P. attule a section 207 investigation on the basis of the matters strenged in the Sumley comprises.

Investigation No. 820 TA.E. on elsel gallie from Canada, was instituted on Sent 50, 1880. to investigate whether intends of the product from Canada are the subsect of a combinetors or comparison to the princip of unitarity tow that its to the purpose of monopolistic trade and commerce in the United States. As the hand

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year ended, final Commission action on a proposed consent order was pending.

TARRES ACT OF 1800

Countervalling Duty Investigations

Section 303.

Section 2001 of the Tank Act of 1990 provides that whenever any country, dependency, colony, province, or other political autobiolom of government, person, partiership, appointion, cartel, or corporation shall pay or facetow, directly or Indirecity, any bounty or grant upon the manufacture or production or export of any article or marchendisk manufactured or produced in such country. dependency, colony, province, or other solitical subdivision of government, then upon the improretion of such article or merchandrae into the United Status, whether it is imported directly from the country of production or otherwise and whether it is imported in the same condition as when asported from the country of production or has been changed in condition by remanufacture or otherwise. there shall be terred and pard, in all such record, in addition to any duties otherwise improved, a duly equal to the net amount of such bounty or grant. however the serie be paid or hectowed.

In the case of any imported article or memberdire which is free of duty, duties may be imposed under this section only if there is an affirmative communium by the Commission under subsection (U(1), except that such a determination dhalf not be required univers a determination of myory is required by the memberships obligations of the United States.

During fiscal year 1980, the Commission instituted and concluded two preliminary and three final investigations under section 30s. They are summarized in table 3, investigation No. 305-TA-14 (Final), on plastic animal identification tags from New Zealand, instituted on August 1, 1980, was pending as the fiscal year closed.

Time WE

The Trade Agreements Act of 1979 established the VII of the Tariff Act of 1980, which conterned additional countervaling duty provisions. Effective January 1, 1981, the new estable added the requirement of a Commission assembles insure the second of countervaling duties, it extends the benefit of a Commission injury determination to subsidy obtains much region of the content of the trade of the Commission of the Subsidies of the Commission of the Subsidies Code of the Commission Agreement on Tariffs and Trade.

In general, upon the fiting of a patition with the Separateurs of Commerce, the Commerce conducte

Table 3.—Countervaling duty investigations completed under sec. 303(b) of the Tailff Act of 1990, fecal year 1990

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a preference in configuration to determine whether there is a measurable indication that an industry in the United States is materially inspired, or a three-ened with material injury, or the ecostilishment of an industry in the United States is materially interded by reason of substituted imports.

The Commission, after an affirmative determination by the Department of Commerce, conducts a final investigation to determine whether an industry in the United States is materially injured, or is threatened with material injury, or the obsolitationers of an industry is materially retarded, by reason of subsoliced imports.

Protitionary investigations must be composed within 45 days of the fitting of the patition final massingations must be completed within 150 days after an affirmative protiminary (portitions determination or 45 days after an affirmative time! (primarise determination, whichever accurs time! (primarise determination of the protimination of the patition of the p

If the Commission's ensumination in the preliminary investigation is effirmative. Commence continues to investigation and makes a finding of whether makes are subscribed if the Commission is determination in negative. Commence termination is negative.

If the Commission's determination in the final insentigation is affirmative. Commonic locuses on order under which a countervalling duty is impressed on the subardined articles if the Commission's determination is regulate, no such order is could and no countervalling duty is collection.

During flecal 1980, the Commission completed 63 countervalling duty investigations under title VII, which are summarized in table 4. A pretiminary investigation, No. 701-TA-64, on certain glass-lined steel storage tanks and glass-lined steel pressure versiens, and parts thereof from France, instituted on September 2. 1980, was pending as the fiscal year ended.

Litigation Arising From Countervaling Duty Investigations

The only litigation arising from a countervaling duly investigation during flacal 1980 was Membel Corp. v. United States (Court No. 80-6-00910), an appeal to the Guotoma Court from the Commission's negative determination in investigations Nos. 701-TA-11-19 and 701-TA-22-30 (Devirines and Soluble or Chemically Treated Starches Derived From Com or Pototo Starch). The Commission determined that the domestic industry is not materially mured or threatened with material injury by reason of subsidized imports from the European Community. The appeal alleges various errors on the part of the Commission, which the Commission denied in an answer filed on August 4, 1980.

General Investigations

The Tariff Act of 1930 empowers the Commission to investigate and report on many acpects of U.S. foreign trade. Studies made under section 332 of the act are usually broader in scope and focus than other statutory investigations conducted by the Commission.

Section SS2 " of the Tariff Act of 1990 axis forth the Commission's authority to investigate, among other through.

The administration and focal and including effects of the customs less of the country.

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The affairs of expert bountees and preferential transportation rates

The utilune of importations compared with domestic production and consumption, and

Conditions, causes, and effects retaining to competition of foreign industries with those of the United States.

The Commission is required to make such recents as may be requested by the President the Misses Committee on Misses and Mases, the Berndre Committee on Fingues or affect House of Compress committee on Fingues or affect House of Compress committees and matters.

During fiscal 1980, eight investigations under section 332 of the Tariff Act of 1930 were compristed by the Commission, as shown in table 5. The 15 investigations which were in progress at the close of focal 1980 are summerced in table 6.

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Table 4.—Constroying duty investigations completed under title VII of the Tariff Act of 1939, focal year 1999

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Table 4.—Countervalling duty investigations completed under title 10 of the Taciff Act of 1888, facel year 1886.— Continued

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Table 6.—Investigations completed under sec. 200 of the Tariff Act of 1600, Recei year 1980.

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Under the Tariff Act of 1930, as amended by the Trade Act of 1974, section 337 cases under Commission investigation must be adjudicated in contormity with the turnal notice and tear-

ing provisions of the Administrative Procedure Act (5 U.S.C. 951). The presiding officer, who in most cases in one of two Commission administrative law judges, conducts the feering and renders a written recommended determination or decision, including findings of fact and conclusions of law on all contested lesues. on the basis of the record in each case. In the performance of his or her adjudicative functions under the Administrative Procedure Act and consistent with the Commission's Rules of Practice and Procedure. He presiding officer holds prehearing conferences, leaves subprehas rules on the audience and generally requlates the course of the hearing in accordance with the strict statuting time limits prescribed in section 127 proceedings. The Commission. after considering the presiding officer's recommenidad determination, based in the audence in the recivity them leaves a remark, where the Commission finds unlighter and where such remedy would be in the public interest.

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Table 6.-Investigations under sec. 300 of the Tariff Aut of 1900 pending on Sept. 30, 1982

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Section 337 cases typically involve comprex patent infringement and antimust resues relating to alleged unter acts or methods of competition incidental to the importation of articles into the United States or their sate, the affect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States, or to prevent the establishment of such an industry, or to restrain or monopolics trade and commerce in the United States, Final Commission deci-

axins in these cases, which adopt, modify, or reverse the presiding officer's recommended determinations, are subject to disapproval within 60 days by the President for policy reasons and are thereafter appealable to the U.S. Court of Customs and Patent Appeals.

During facal 1980, the Commission conctuded 13 investigations under section 337, which are summarized in table 7. The 20 investigations pending on September 30, 1980, are summarized in table 8.

Tables 7 -- Investigations completed under sec. 307 of the Tariff Act of 1600, fecal year 1600.

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Liftgaton Arising From Investigations Combusted Under Section 337

On Jenuery 12, 1979, Richard L. Stevenson, complement in investigation flor 337-1A-37 (Certain Skaletoards and Platforms Travetor), accessed to the U.S. Court of Customs and

Platent Appeals the Commission's determinetion that there was no violation of section 337 in the importation of sale of certain exercsioneds in the United States. The Commission had found that the patent at issue in the investgation was invalid. On December 20, 1975, the court reversed the Commission's determination.

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Table 6 -- Investigations under sec. 307 of the Tariff Act of 1600 pending on Sept. 30, 1880

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of no violation and remarded the case to the Commission for action consistent with its opinion. (Stevenson v. U.S. International Trade Commission et al., Appeal No. 79-12.) At the close of the facal year, the remarded investigation was pending before the Commission.

On April 16, 1978, Hale Fire Pump Co., a complement in Investigation No. 307-1A-43 (Certain Centrifugal Trach Pumps), appealed the Commission's determination that a parent in issue had not been introped and that there was no violation of section 307. On February 7, 1980, the Court of Customs and Parent Appeals affirmed the Commission's determination of no violation. (Hale Fire Fump Co. v. U.S. International Trade Commission et al., Appeal No. 79-21.)

On May 10, 1979, Refractorics Monterwy S.A., a respondent in investigation No. 327-TA-41 (Certain Ceramic Tile Setters), appreciated to the Court of Customs and Patent Appeals the Commission's refusal to review a Commission administrative law judge's order that certain audentary matters should remain confidential under a protective order. Both the Commission and Ferro Corp., complement in the Commission's museligation, moved to dismiss the appeol for lack of subject matter jurisdiction. That motion was granted by the court on October 11. 1979 (Retrigoration Mantenary S.A. v. U.S. Presinational Trade Commission and Perris Corporaton, Appeal No. 79-22.) On Jenuery B. 1980. Refractance Monterray S.A. petitioned the U.S. Supreme Court to review the Court of Customs and Patent Appeals' decision. That petition was denied by the Supreme Court on Merch 24. R SMICO

Actra-Sjuco, AB, Medime Industries, and Caring International Division of Medime Industries appealed from the adverse determination and order of the Commission in Investigation No. 337-TA-96 (Centern Thermometer Sheeth Packages), issued July 25, 1978. On August 26, 1980, the Court of Customs and Patent Appeals affirmed the Commission's finding of a vicitation of section 337. (Actra Sjuco, AB, et al. v. U.S. International Trade Commission and Steriosme Corporation, Appeal No. 80-3.)

On August 27, 1979, Seated Air Corp., constament in investigation No. 337-TA-54 (Cer-

tem Multicollular Fleetic Film), appealed to the Court of Customs and Patent Appeals the Commission's determination that respondent Tong Seas Industrial Co., Ltd., a foreign manufacturer and exporter of multicellular plastic film. was not in violation of section 307. The Commission had found that the process used by Tong Sees to manufacture multicefular plastic him abroad would not, if practiced in the United Status, infringe compliament's process petent. (Seeled Air Corp. v. U.E. International Trade Commission et al., Appeal No. 79-35.) On October 26, 1979, Uniquel (H.K.) LM., a foreign manufacturer and exporter of multicellular plastic film and a requiredent in investigation No. 337-TA-54, appealed to the Court of Guetoms and Patent Appeals the Commission's determinution that it was in violation of section 307. (Unipak (M.K.) Ltd. v. U.S. International Trade Commissium et al., Appeal No. 80-4.) Umpak's azonal was subsequently limited by the court to the issue of whether that firm was autimot to the jurisdiction of the U.S. International Tracks Commission. At the close of the fiscal year, both appeals were pending before the EICHMIT.

On December 31, 1979, Aladdin Industries, Inc., compliament in investigation No. 307-TA-59 (Fump Top Insulated Containers), appealed to the Court of Customs and Fatent Appears the Commission's finding that there was no violation of section 337 in the importation and sale of nestern pump top insulated containers that alregardly copied Aladdin's trade dress. The Commission did find a violation of section 227 by research of the improvision and sale of pump top insulated containers that infringed a valid U.S. patent owned by Aladdin, On June 4. 1980. The court draminant Aladém's appeal th response to a motion to diames filed by that turn. (Aladidin Industries, Inc. v. U.S. Internarunal Trade Commission, Appeal No. 80-12.)

On November 6, 1979, PMC Corp. filed a petition for a writ of mendamus and a writ of prohibition with the Count of Customs and Patent Appears. PMC's petition requested that the Commission be prohibited from serving copies of a notice of investigation naming 44 of PMC's customers as respondents in connection with a section 337 proceeding arong from a com-

plaint filed with the Commission by Hermessay Industries, Inc. The court, having temporarily restrained service of the notice pending its decision on FMC's petition, denied the petition on February 14, 1986. (FMC Corp. v. U.S. International Trade Commission, Appeal No. 80-6.)

Landle Tool Division of Litron Industrial Propscits, Inc., filed a petition for a writ of mandamus with the Court of Customs and Patent Appeals on December 28, 1979. Landle' pettion alleged that the Commission, by denying Landle the apportunity to rebut evidence submitted by the respondents in connection with the public-interest phase of investigation No. 337-17A-60 (Centern Automatic Charlegin Gronders), had violated Landle' right of due process. The court denied Landle' petition on Fatinuary 14, 1980. (Landle Tool Division of Litton Industrial Products, Inc. v. U.S. International Trade Commission et al., Appeal No. 80-10.)

On January 21, 1980, Syntex Aprillusiness. Inc., filed a petition for a writ of mandamus. with the Court of Customs and Patent Appeals. The petition, which alteged that the Commisair." had abused its discretion by not methyling an investigation pursuant to section 337 on the basis of a compliant filed by Syntex, requested the court to direct the Commission to commence an investigation. The petition was denied by the court on April 1, 1980. On February 24, 1980, Syntex also filed an appeal with the court pursuent to section 357(c) raising essentially the same leaves as were in the petition. That appeal was dismissed by the court on July St., 1980. (Symtex Agribusiness, Inc. v. U.S. International Trade Commission et al., Append No. 80-13.)

On May 8, 1979, Southwire Co., the comptement in investigation No. 337-TA-52 (Certain Appearatus for the Continuous Production of Copper Rod), filed an appeal in the Court of Customs and Patent Appeals seeking review of the Commission's decision to grant the motion of respondents American Tetaphone & Talegraph Co., Western Electric Co., Inc., and Necessul Recycle Corp. (collectively "Bell") for summary judgment, in granting (list motion, the Commission had determined that as a matter of law Southwire had ficeneed to U.S. Letters Patents 3,317,894, 3,672,430, and 3,712,423 to

Bell, and therefore there could be no section 337 violation in "correction with Bell's use of those patents (App, sail No. 79-25). On August 16, 1979, Southwire filed a second appeal, seeking review of the Commission's decision to grant Bell's motion for summary judgment, in granting that motion, the Commission's decision had determined that as a matter of law Southwire had licensed to U.S. Latters Patent 4,129,170 to Bell, and therefore there could be no violetion of section 337 by Bell with respect to that patent (Appeal No. 79-31). On September 11, 1980, the court affirmed the Commission's determinations in both cases.

On December 28, 1979, Krupp International, Inc., and Fried. Krupp GmbH ("Krupp"), respondents in investigation No. 337-TA-52, filed a petition for a writ of mandamus with the Court of Customs and Patent Appeals. Krupp solved that the court order the Commission to soue on advisorry opinion regarding the cease and decial orders issued against Krupp as a result of the final Commission determination in the investigation. On March 5, 1990, the court diamissed Krupp's petition (Appeal No. 80-11).

Several other appears reperling the final determination of the Commission in investigabon No. 327-TA-52 were also filed. On Januany 22, 1980. American Telephone & Telegraph. Co., Misselem Etectric Co., and Nassau Recycle Corp. Nied an appeal with the Court of Customs. and Pateri Appeals regarding the Commisscori's determination that U.S. Letters Faterit 4,129,170 was valid (Appeal No. 80-14), Krupp find a exponent appeal regarding the same patent on the same day (Appeal No. 80-15). The court dramased both appears on March 26. 1980, on the pround that none of the appellants had been adversely affected by the Commisson's determination concerning the patent in GLIBOTHIA.

On February 18, 1980, Krupp appealed from those portions of the Commission's final determination that it had not previously chaltenged in Appeal No. 80-15 (Appeal No. 80-19). On February 28, 1980, Southwise Co. presupposted those aspects of the Commission's decision as to which no section 307 inclation was found (Appeal No. 80-21). Both appeals were pending at the and of the fiscal year.

Firspp and Bell also filed appeals asserting that the Commission issued erroreous findings with respect to the patents and trademarks at lease in Southwire's cross-appeal (Appeals Nos. 80-23 and 80-26). On June 4, 1980, the Court of Customs and Patent Appeals dismissed those appeals on the ground that Krupp and Bell had not shown that they were adversity affected by those parts of the determination they were appealing.

On April 28, 1980, the Commission decided to motifule an advisorry opinion proceeding reperting the cease and decid orders issued in misetigation No. 307-59-52. On May 23, 1980, Southwise fitted an appeal (Appeal No. 80-30) challenging the Commission's right to conduct such a proceeding and asking that the Countricion to recover the investigation, Southwise Athibre that appeal on September 9, 1980.

In commection with Commission investigation No. 327-7A-69 (Certain Artight Cast from Stovers), respondent Oriental fungoworld Industrial Co., on March 24, 1980) fried a petition in the Court of Customs and Fasent Appears for a writ of mandamus to dismiss the investigation for tech of pu-calicition (Appear No. 8-24). Subsequent to filling that petition, Oriental fungoworld reached a settlement agreement and was terminated as a party respondent in the investigation. On September 18, 1980, Appeal No. 80-24 was dismissed by the court.

The Commission glas filed shafe in two faels Sed stances come services evicting engaging for momentume that enough have her the effect of preventing the filling of a section \$37 complight If it didning an imprime section \$17 investipatient in E-gentler Eggs florebulle o Employe Regrammers Cons. Chall Bellion Str. 80-2113 (E.R.L.) the elements oneph a temporary reetraining metri that would have prevented by eron liferacetors from filling a compliant with the Commission pursuant to section 207 (the Auria 6 1980 this Commission fitted a brisil as on aminus curios in their case, requesting that The mouth not leave the enquested wido. On Adu 51, 1986. Eventure authorism in spellinghore for the temporary restricting with

On September 2 1980 the Commission ergand in the U.S. Dietrol Court for the Cantral District of California that an injunction should not issue in Condit-Glow Corp. v. Terumo America. Inc., Civil Action No. 78-3713-38793. Terumo had sought an injunction which would have prevented complement Cords-Glow from proceeding in Commission investigation No. 307-58-81 (Certain Hollow Floor Artificial Kigneys). After hearing oral argument, the court refused to grant the requested injunction.

ANTENAPPING INVESTIGATIONS

Artidumping Act, 1921

Provisions of the Antolompung Act

Senton Strice & or the demonstry of the Toursain provides that alternate the Sentence, of the Toursain delivers the Commission that a video of direct of Senter materials is desirable of the strice. States of demonstrate at see they be demonstrated for the commission of the distance of the formation of the distance of the materials are interest, in the clinical Sentence of the materials of the m

The Antidumping Act was repeated, effective January 1, 1980, by the Trade Agreements Act of 1975. The 1979 act established new anti-dumping provisions, which are set both in 1988 VII of the Tavill Act of 1990. The new provisions became effective January 1, 1980. All musel-pations underway as of that date were terminated and rematituted under the new provisions.

The Commission completed 12 antidumping meetigations and 1 missiny during facial year 1980 under the provisions of the Antidumping Act in investigation for AA15C1-150 (Tarregion Electrostitic Fixed Capacitors From Japan), a 1976 Commission determination under the act was remainded by the U.S. Cuetons Count on March 27, 1980 The Commission build in the regalise on August 6, 1980, following reconsideration of its parties determination. Commissioners Alberger Cathours, and Dern vissel in

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the regative, and Commissioners Misses and Bedell voted in the affirmative. The Commission's determination was sent to the Customs Court on August 25, 1980. The remainder of the completed investigations are summorized in table 5.

The impury, No. AA/1821 img -29 (Coke From Weel Germany), resulted in a Commission tinding of no reasonable indication of injury from such imports. The unanimous finding by Commissioners Parker, Alberger, Moore, Stedell, and Stern was forwarded to the Secretary of the Treasury on November 16, 1978.

Eligation arising from investigations conducted under the Antidunging Act —As noted in the Commission's amount reports for 1879 and 1979, in a compliant fixed with the U.S. Guetome Court during 1973, Border Brokerage Co., Inc., asserted that the injury determination of the Commissions in investigation to, AA1921-38 (Carbon Steel Bars and Shapes From Canada) was invested. On October 11, 1979, the court dismissed the action. Plantiff appeared the dismissed to the U.S. Court of Customs and Patent Appeals, and and enjurished on the splend was pending at the close of the facial year Another case which was noted in the annual reports for 1979 and 1979 was the challenge to the Commission's injury determination in investigation No. AA1551-95 (Elemental Sulfur From Mexico) Pasco Terminals, Inc., appealed the Customs Court's dismissed of the action to the Court of Customs and Fatent Appeals, and oral argument on the appeal was pending at the close of the facel year.

The 1077, 1678, and 1679 annual reports contained references to the complaints of Armstrong Bros. Tool Co et al., filed with the Cuetoms Court on September 26, 1977. Those complaints asserted, inter alia, that the registive determinations of the Commission in investigations Nos. AA1501-141 (Wrenches, Plens, Screwdrivers, and Mercel Cutting Strips and Shears From Japan) and AA1501-149 (Chisans, Purchas, Nammers, Stedges, Vees, C-Clamps, and Battery Terminal Lifters From Japan) were invested.

On January 28, 1980, the Customs Count atturned the Commission's negative determinetion in investigation for Auti-1801-181 (Armonomy from Tradi Co et al. a. United States, Count No. 17 8-20000), and an March 27, 1980, the count

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affirmed the Commount is regalise determinebeen in investigation No. A4/1921-148 (Amstrong Bros. Tool Co. et al. v. Utrited States. Court No. 77-8-02004). The decisions in both cases were appealed to the Court of Customs and Patent Aspeals. On August 7, 1980, that court affirmed the Guetoma Court's decision spholding the Commission's Adeministration in Investigation No. A&1601-161 (Armotrony Bris-Floor Co. et al. v. United States, Appeal No. 80-20). The appeal of the count's decision upfooting the Commission's determination in investigation No. A&1501-140 was dismissed at acceptance request on August 13, 1980 (Armarrang Briss. Tool Co. #F at is United States. According No. 80:28.

On the rame date that the Armatricing complants were final. Sprague Electro Co. find a compliant with the Customs Court challenging the Commission's regative determination in inveeligation No. AA1901:109 (Tamalum Electrotatic Fixed Calcalities From Japani, Ch. Warch. 27, 1980. the court remanded the case to the Commission for the latting of a new vote in light of corrected import eletitation. Cir. May 20, 1980. the court modified to earlier directive by ordermy the Commission to consider in its deliberaresultanturam assertages, and fit prests will prest to moreover productive expositly for and exporbelian to the United States of a perfouler type of territorium attentivitatio fixed cospector. On Auguel 6. 1980. The Commission. By a 5-fol-5 willia. again made a regalise determination. At the close of the field user. The determination was Reflore the Eustrima Einath

In 1979, the Commission determined under the Antidumping Act, 1901, that an including in the United States is not being or therty to be represent in prevented from being established by reason of select of portable electric type-writers in the United States of text than for select the determination, in investigation for AA1501-146, Proteins Electric Typewriters From Jopan, was operated States or text involved is whether the Commission correctly interpreted the form "injury" on it appears in the Anti-dumping Act, 1901, in making its negative injury determination. A motion to diamics on the pround that the appears is most following the efficients determination in the 1980 investige.

tion on electric typewriters was denied. The case was pending before the Customs Court at the end of the facal year. (SCM Corp. v. United States, Court No. 17-4-80000)

Title VI of the Twiff Act of 1800

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During facel 1986, the Commission compresed 28 antidumping investigations under title. Vit of the Tairlf Act of 1995, These are cummarced in table 15 Such investigations pending as of September 30, 1986, are shown in labble 11.

Two investigations instituted by the Commission during the facial year were subsequently terminated and remattured to reflect the repeat of the Antidunosing Act, 1501, and its replacement by titls VII of the Tariff Act of 1500, insestigation to 751-15.1 (formerly to AA1501-1615) concerned also be guill agree from Potenti.

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Table 12.—Antidunging investigations completed under title VII of the Tariff Act of 1998, fecal year 1999

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Table 12 -- Antidonomic investigations completed under 10th W. of the Tariff Act of 1999, Sepai year 1999 -- Cardinand

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Typic 11.—Artidusping investigations under title Wi of the Turiff Act of 1930 pending on Sept. 30, 1980

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The Commission, consisting of Commissioners Bedell, Alberger, Moore, Stern, and Cathoun, made a unanimous negative determination and issued its report (USITC Publication 1998) on May 20, 1980.

Investigation No. 751-TA-2 (formerly No. AA.1821-66A), on talevision receiving sets from Japan, was instituted as a review of a previous Commission determination at the request of the Sanyo Electric Co., Ltd., and Slenyo Electric, Inc. The Commission's determination was pending at the close of the fiscal year.

Litigation arising from antidumping investigations conducted under title VII — in a compliant
titled with the Custome Court on March 24,
1980, the Budd Co., Reviewy Division, assented
that the Commission's failure to find a reasonable indication of material injury in investigations Nos, 731-TA-5 and 721-TA-6 (Reil Passenger Cars and Parts Thereof Intended for
Use as Original Equipment in the United States
from Italy and Japani) was invalid. (The Budd
Company, Railway Division v. United States.
Court No. 80-3-00505.) The compliant was
pending court action at the close of the facel
visal.

in a compliant filed with the Customs Court on April 4, 1960, an attorney representing the interests of importers in a review investigation being conducted under section 751 of the Tar-

iff Act applied to the court for an order directing the Commission to disclose, under protective order, confidential business information submitted by domestic parties in the Commission's review investigation concerning Electric Got! Cars From Poland, investigation No. 751-TA-1 (formerly No. AA/IB21-147A). Plaintiff argued that section 777(c)(2) of the Tariff Act required such disclosure. The Commission delended on the grounds that an attorney represerving importers seeking the revocation of an cutsianding dumping finding was not a "petitioner," i.e., a domestic concern seeking antidumping relief, within the meaning of section 777(c)(2) of the act. On April 30, 1980, the court agreed with the Commission and ruled that the term "petitioner" had a precise legal meaning in title VII. Thus, the Commission was nut directed to provide protective order access. to confidential automissions in proceedings conducted under section 751 of the act. See, In Fo: U.S. International Trade Commission Inves-Equation No. AA1821-147A (Electric Golf Care From Polentii, C.D. 4854, Court No. 80-4-00080.

On August 13, 1980, in investigation No. 731-TA-26 (Final) (Centern Steel Wire Nails From Korea), the Commission determined that any injury suffered by the domestic steel wire not industry was not the result of imports of clost wire noils from Korea at less than fair value. Complements Armoo, Inc., and CF & Steel Corp. appealed to the Customs Court (Armoo, Inc. v. United States, Court No. 80-9-01436) shortly before the close of the facal year.

Asahi Chemical Industry Co., Ltd., et al. v. United States (Clourt No. 80-5-00755) involves an appeal from a Commission determination in investigation No. 731-TA-1 (Preliminary) (Spun Acrylic Yam From Japan) that an industry in the United States is being materially injured by reason of imports of spun acrylic yam from Japan found by the Trassoury Department to be sold or lively to be sold at less than fair value. Plaintiffs assent that the Commission determination is not supported by substantial evidence on the record. They claim, among other things, that the Commission failed to consider the bilipsing United States-Japan textiles agreement, should have considered data on a questienty

basis, should not have aggregated imports from Japan and faily, failed to separate injury cause I by imports from Japan frum injury by all imports, and improperly aftributed U.S. plant closings and unemployment to imports from Japan. The Department of Justice, which represents the Commission and the Departments of Commerce and the Treasury in this action, denied plaintiffs' allegations.

On May 6, 1980, Atlantic Sugar, Ltd., and Restpeth Sugars, Ltd., Canadian manufacturers and exporters of refined sugar, appealed to the Custome Court the Commission's affirmative determination in investigation No. 731-58-3 (Final) (Sugars and Single From Canada). That appeal (Atlantic Sugar, Etd., et al. v. United States, Court No. 80-5-00754) was prending at the close of the facal year.

On Agenti S. 1980. the Commission determined in investigation No. 721-53-15 (Preliminary) (Piges and Tubes of Iron or Steel From Japan) that there was no reasonable indication that an molumby in the United States is materially inbared or threatened with material injury, or the establishment of an industry in the United States is materially interded, by reason of the imporbelon from Jupan of three of the four classes. of pignes and tubes of iron or steel from Japan. attegedly sold at less than fair value. This determination was challenged in a complaint filed In the Custome Court by Babcock & Wilcox Co., Beaver Falls, Fa., alleging that the Com-Respect a preliminary determination was arbitrany capricious, and otherwise not in accordarcs with the law (Babcock & Wilcox Co. v. United States, Court No. 80-5-007721; On June

16. 1960, the Commission respected its determination with respect to the fourth class of jape and tube and, on June 34, 1960, determined that an industry in the United States is not injured or threatened with material injury. Bebcock & Wilcox Co. thereupon filed a second compliant, alleging that the respensed determination was arbitrary, capricious, and otherwise not in accordance with the law. Plaintiff moved for consolidation of the two actions, and the Commission did not approve the motion. At the close of the fiscal year, the two actions had been consolidated, but no further action had occurred in the Custome Court.

Melamine Chemicals, Inc., appealed to the Customs Court from the Commission's determing...an in investigations Nos. 721-59-13, 721-Till-14, and 731-Till-16 (Melamina in Crystal Form From Austria, Italy, and the Netherlands). in those investigations, the Commerce Department, after initially making a final determination. of no cales at less than fair value, issued a secand final determination that dumping margins. were present on melamine imported from Austria. Itely, and the Netherlands. The Commisson unanimously concluded that the dumping margins caused no injury to the domestic in-Bustry. On appeal. Melemine Chemicals argued that the Commission lacked sufficient evidence to conclude that the dumping margins did not result in material injury (Meramine Chemicals, Inc. o. United Stores, Court Nos. 80-6-00918. 80 6-00879, and 90-6-00980). The Commission filed an answer on August 2, 1980. The case was pending before the Customs Court at the citizes of the frecal year.

TRADE AGREEWENTS PROGRAM

The Commission regularly assists the executive branch of the Government in work connected with the trade agreements program. Assistance is provided to the President primarily through the Office of the United States Trade Representative (UETR),* the executive branch center for trade-agreement activities. Substantial Commission assistance is also given directly to perfocuter executive departments, such as the Departments of State, Commerce, Labor, Agriculture, and the Treasury, which have responsibilities in the program.

Under section 163(b) of the Traite Act of 1974, the Commission is to submit a yearly report to Congress on the operation of the trade agreements program. The 25th report, covering catendar year 1977, was published in fiscal 1980, and the 35th report, covering catendar year 1978, was completed during fiscal 1980 and published shortly after the close of the year.

The Commission's work relating to the trade agreements program during fiscal 1960 fell into aix major press. The first was the preparation of Presidential proclamations to implement the terificoncessions granted by the United States in the Multisteral Trade Negotiations (NTN) and certain bristeral agreements concluded in 1979. The second concerned work related to the requence by the USTR of a list of items to be considered for possible teriff reduction in trade negotiations under the teriff reduction authority delegated to the President in section 124 of the Trade Act of 1974 (the "residual authority" provision). The third involved technical assistance to the USTR in work related to the operation of the Generalized System of Preferences (DSP). The fourth consisted of assisting LISTR and the Congress in preparing tegislation associated with inglementation of the MTN agreement on customs valuation and certain related builf concessions. The Mfh involved the assembly of terif, commodity, and eletratical information in support of activities associated with the trade agreements program's daily operation. including the activities of the several new committees established in connection with implementation of the major number? measure agreements which came out of the MTN. The sixth involved tech-

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directions of the 16-70 a sight private guidings of the Tuple Robby Sight committee prior of the control of the security of the security of the committee of the security of the control of the transfer of th

rical assistance to the LETR in conducting the interagemicy executive branch review of certain reports which the Commission submits to the President.

Implementation of Twiff Concessions

Tariff concessions granted by the United States in trade agreements are implemented by Presidental proclemators which mostly the Tariff Schedules of the United States (TSUS) accordingly. The tariff concessions made by the United States in the WTN and is certain bilateral agreements negotiated concurrently with the MTN were implemented by three proclamstions. Work on these proclemations, which was begun in May 1979 by the Office of Executive Liebon and Special Advisor for Trade Agreements and the Office of Fariff Affairs, was completed in facal 1960. Signed by the Procident on December 11, 1979, the first of these procterretions, No. 6707, was by far the largest and need complex such proclamation aver bound. It provided for the implementation of most of the MTN concessions, which were contained In the Geneva (1976) Protocol to the General Agreement on Tariffs and Trade (GATT), and for the implementation of concessions contened in bilateral agreements with Hungary Mexico, Romania, and Tarwan, the second proclamation, signed by the President on Jansary 4, 1960, and recent as Proclamation No. 6711, provided for implementation of conceserror contained in agreements with Individuals. firmided and Tobego, and countries forming the Contegens Agreement. The third proclams: tion, which was also of major proportion and complexity, implemented the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade (the Customs Valuation Code; and the laid concessions conterned in the Century (1979) Protocol which were feel to the effective date for the United Digities of the new elemberois for customs valuatten setablished in the valuation code. Signed by the President on June 26, 1960, and round as Proclamation No. 4768, It also correct out certain bilateral agreements with the European Community Selloprignit and Indonesia

Preparation for Residual Authority Regulations

During the 2-year period tollowing expiration of the basic tariff reduction authority delegated to the freedent in section 101 of the Trade Act of 1874 (i.e., January 3, 1980, through January 2, 1980), the Preodent may, under provisions of section 104 of the 1874 act, enter into trade agreements for further duty reductions of up to 20 percent, so long as such reductions (1) do not result in rates lower than those that would have resulted if the full basic authority under section 101 had been used, and (2) the value of imports covered by new concessors in any 1-year period does not exceed 2 percent of the ratios of U.S. Imports for the most recent 12-month period for which periods are eventaling.

Early in 1960, Commission staff began work to asset the USTR in identifying the ferms in the Tariff Schedules of the United States which would be subject to possible further duty re-Suctions under the residual authority of section 124, and to select from the fini of such terms those which would be subsequently issued in a Public notice, in purformly with section 131(a) of the Trade Act of 1974, as erticles being considered for possible duty modification. The notice, listing 1,567 fems, was published in the Federal Repoter on August S. 1980, and submitted to the Commission with a request for edirice on the probable economic effects of the teriff reductions authorized by section 1,74 on the domestic industries producing like or direcity competitive articles and on consumers.

Consistent System of Profesorose

The Trade Act of 1974 gave the President authority to establish a Generalized System of Profeseries, under which aligible anticles that are the product of designated beneficiary developing countries can be imported onto the United States free of duty Executive Circles No. 11888 implemented the GSP effective January 1, 1976, the United States Trade Representative and the Secretary of State are pointly responsible for its administration. The Executive order has been modified several times to change the field of articles receiving GSP means.

ment and the fital of beneficiary countries. During focal year 1980, the Commission again provided actinical assistance in the interegency review leading to these modifications, as well as assistance in preparation of the orders inplementing the changes. The Commission provided its advice on 30 items as to the probable according phases of the alimination of import duties under the GSP on U.S. industries producing like or directly competitive articles and on consumers, in addition, Commission persornal assisted in monitoring GSP imports and did the major part of the work emissised in application of the "compatitive reed" criteria set out in section SSA of the Trade Act. For the seventh executive branch review of the operason of the CSP, parts of which consisted if public hearings held by the Trade Policy Staff Committee (TFSC), the USTR was subsided technical data on U.S. production of and trade in more than 72 articles on which politions had been automotived for a modification of their COF status Commission personnel were etc i metty married in the prespectation of the Europetics inpers which had to be leaded noncommently with the three principmenture inglementing belff compressions in order to make amultipressue resend in consequential changes in the GDF.

At the end of the facel year, the Commisaris was preparing advice in the probable economic effects of eliminating import flutes under QDP on 365 terms. The list was outmitted to the Commission at the same time as the request for advice in the residual authority terms. The Commission had also begun work in antispation of a request expected from USTR early in focus 1981 for probable acctionic affects advice in an additional list of over 65 terms.

Legislation Approving the Colloma Selection Printered

The Trade Agreements Act of 1979 Bufferused the Precident to accept the biff's agreement relating to customs valuation, which had been submitted to the Congress in the spring of 1975 Subsequent to anactment of the Trade Agreements Act in July 1975 Investor further regulatory, proceeded in Service to market remaining differences between developed and developing countries on ox-fain elements in the agreement. These regulations resculted, in November 1878, in a promision interpreting certain expects of the valuation agreement, particularly as they applied to developing countries. Commission staff assisted LISTR and congressional staff in preparing legislation to approve and inplement the protocol and to make certain technical amendments to title 8 of the Trade Agreements Act of 1879, which is the part of that act desiring with the customs in feeting agreement and related bertfi concessions.

Associance in Miscellaneous Trade Agreements Activities

The Commission regularly provides befored acconstance to LIETH in the day to day igneration. of many areas of the trade agreements proprom, including the activities related to the inclementation and operation of the various MITN agreements on numberiff measures. A Currenteerin auf member chairs an maragency Technool Group under the TFSC Airorall Subcommittee, which handles matters undor the Agreement on Trade in Club Arcraft. and acts as the U.S. spokeromen at General meetings of the Tachmoal Subcommittee of the Accordit Committee, which is composed of regrecommended of arginologies to the arrival agreement that members pertripate in briefers! consultations on perticular trade leaves, but h as compareation for U.S. Import rated actions. recention of the United States Canadian automultile agreement, and interpretation of U.S. procedures under the Amistumening and Bubsofters Challes Commission side gran participate in Comeus meetings of the committees estabsured under these codes

in the summer of 1980 the GATT Council approved a proposal download in the GATT Council approved a proposal download in the GATT Councilias on Tariff Cor. — I to establish a loose-test system as : — If keeping an up to date version of each o — Ity's otherbure of tariff concessions under the GATT. The Commission began the proposal on of the loose-loop version of exhaults at the U.S. schedule of GATT concessions in 1980 and expects to touch the property in each 1981.

The Commission continued to supply the CATT Secretarial in General with compliations of data on U.S. imports, terrifs, and trade-experiment obligations. Most of this was part of a continuing recruite backs of trade and terrifortismation to provide backs data for the various activities under the CATT. Since unually all international facilit and trade work a conflucted in ferms of the product classications of the Customs Cooperation Council Nomenciature (CCDN), the Commission in requirely provides the CATT Secretarial with internation on the concordance between the TSUS and the CDDN. This concordance is continuously being context at the Commission.

Executive Branch Review of Commission Reports

Wany of the reports which the Commission submits to the President under versus setures, such as section 201 of the Tracks Act of 1574, twister maters on which action by the President would after trade agreement obligations of the United States, Everupine of formulating executive branch recommendations to the President is usually centered in the Office of the United States fractional associative. The Commission provides between associative in the reverse process, including such supplemental intermetion as may be required.

UNIFORM STRTISTICAL DATA ON INFORMS, EXPORTS, AND PRODUCTION

Activities Under Section 484(x) of the Tariff Act of 1930

Section 808(a) of the Trade Act of 1976 and Public Law 95-198 amended section 494(a) * of the Taniff Act of 1990 by providing for comparability of U.S. Import, production, and export thats as follows:

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definition of the cost country of another in the cost of the cost

During flocal year 1980), the Committee for Statistical American of Fariff Schedules, which is made up of delegates of the Secretary of the Treasury and the Secretary of Commerce and which is channel by a deregate of the Commission, considered 20 requests for estatistical americans to the Fariff Schedules of the United States Americans (TSUSA) and 40 requests for modifications to Schedule & morder to improve the comparability of U.S. import and export date and for other research & mount of the Committee created 90 rever TSUSA, forms and provided 146 new Schedule & sense.

Harmonized Commodity Code

Pursuant to section 608tcc; of the Trade Act of 1974, in facul year 1975 the Commission undertook on manifesture under section 500g of the Tariff Act of 1990 which would provide the basis for—

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and the description of the Original Original Commission of Original Original Commission of Original Commission

Direct the manufacture of this investigation in Jansory 1975, the Commission has prepared comments on 77 chapters of the Harmonised Code During faces seen 1980, the Commission prepared comments on 27 chapters and did preliminary exist on 63 chapters, Commission repconstratives have participated as manuface of the U.S. detergation to the Harmonised Suppose.

^{7 (8 5 8} F (6000)

Committee at all sessions of the Committee arise the institution of this investigation, including three sessions during facel 1980. Commission representatives have also participated in sectional bilderal computations with European Community (EC) representatives with a view to developing compromise proposeds with the EC. These consultations have enabled the United States to gain acceptance of its proposeds in the Harmonized System Committee meetings and have been instrumental in enabling the Committee to adhere to its schedule of completion of the system.

PREFERENCES OF THE CHITED STRICES ANNOTATED

The Tailf Schoolune of the United States Amousped is published percellicatly by the Commission II commiss the classifications used to reporting import data by commissions deline as some 11 200 commission classifications for which import proteins are collected in appropriate intervals the TSU/OR is updated to referr the affects of legislation. Presidential proclams tone and Executive orders, and other modifications of the schedules.

During hour 1980 the Commission published the 11th (1980) edition of the 153/OA refrecting the monad changes to the teriff schedules he putated during the Multishore Trade Netgotie tions. These supertenants to the 1980 edition are sound during fiscal 1980.

FEBRURIE SEPTEMBE CON CURRENTERMES

Businesia Organia (Diamorata

The Commission has requisitly presented and a great monthly require an automatic ringative resources predictive materials medicine charminal and after integrate charminal mondries. The annual require have been published after a lines of the first of the contract of the

Economismos uses of these data reportedly include monitoring of toxic autobarons by the Environmental Projection Agency and the Natonal institute for Coccupational Safety and realth, trade adjustment assistance by the Departners of Labor, planning and investigations by the Food and Drug Administration, trade regulations by the Office of the United States Trade Representative, mobilization studies by the Experiment of Commerce, assurance of parcial leadatack supplies by the Departners of Energy, and monitoring of the economy (preficularly the chemical industry) by the Council on Misse and Price Stability The business community, including industry, consultants, and financial analysis, also repureally used freez state entertainers.

Annual reports —The KDI enhald report on U.S. production and sales of symbolic organic chamicals, covering calendar year 1979, was elected by the Commission on Dotater 29, 1979.* Also during focal year 1980, the Commission property the EDI enhald report, covering calendar year 1975. Effect groups of chamicals were multiwed.

A SHE STATE Stringer gradients from gelferthern gue region and the angenness consequent CONTRACTOR STREET Fluxen situation grammatics Affanitument amarmunisti Figure and appropriate measurers Pagattus gran seen messaralis Summer accomments attenuated Ещините вуличено отнико Breekin redire Sulfigure guilture appoints Shall man and related at this to Water grante dan tree chiefficige dan interned arrese (118)

Maraliguadus sualiu gaz goverto attempogra

Approximately 760 manufacturers report date to the Commission on some 8,000 enemical products these data form the base for the annual report is a directory of manufacturers for each of the example chamicals and chamical products. The data for another annual Commission publics too. Imposes of Bencimical Commission publics.

System Pages Permitte Color State Florida proson Grib (Str. Systems) 1871 1879

Products, are obtained by analyzing invoices covering most of the general imports of benzenoid chemicals.

Monthly reports.—The monthly production reports (Series C./P) add timeliness to the Commission's statistics. A report, containing production data for 91 selected synthetic organic chemicals, pleatics and resins, and other trend-setting indicator materials, is issued for each month at a date approximately 6 weeks after the month covered by the report.

Annual and Quarterly Reports on Commodifies—Quantitative Determinations

As required by statute, Evacutive order, or Presidential proclamation, the Commission continued to submit annual and quarterly reports during fiscal year 1960 on several commudities.

Annual reports were submitted on U.S. consumption of wet:h movements* and brooms.*

In 1976, after receiving the Commission's report on stamess steel and alloy tool steel (inveeligation No. 1A-201-b), the President inprised quantitative restrictions on elaminess sinci and alloy tool steel for a period of 3 years and implemented a monitoring program administered by the Commission.* The guotes, which were due to expire on June 13, 1979, were extended to February 13, 19807 in fiscal year 1980. The Commission issued two querterly reports* covering U.S. producers' production. phigments, englisyment, man-hours, and prices. Two annual sports" were also issued during the year. One covered U.S. importers' prices. unaflighted orders, and inventories; the other covered U.S. producers' profit, unahipped orders, inventories, capacity, capital expenditures, and research and development expenditures.

in conformance with the provisions of the orderly marketing agreement regotiated with the Government of Japan limiting the export of color television receives and certain subassemblies thereof from Japan to the United States for a period of 3 years, which expired on June 30, 1960, the Commission issued three quarterly reports in fiscal year 1960. These reports show aggregate monthly data provided by U.S. producers of color TV receivers on pro-Buction, shipments, trivento ins, imports, emplayment, man-hours, prices, and other economic factors indicative of conditions in the U.S. industry.¹⁰ In addition, the Commission issued the third of the required annual reports. showing quarterly data on profit and capacity and annual data on capital expenditures for U.S. producers, and quarterly data on prices. orders, and inventories for importers.* These periodic reports ceased with the expiration of the orderly marketing agreement with Japan but were reinctituted in conformance with new crderly marketing agreements limiting exports of color television receivers from the Regulatic of Konsa and Talwan. These reports, two of which were released in facal year 1980, will continue through May 1962 for the duration of the new orderly marketing agreements, unless modified or terminated earlier by the President ⁶⁵

Following receipt of the Commission's report on mushrooms in January 1977 (investigation to TA-201-10), the President determined that import ratiof was not in the national economic interest. However, he decided to monitor import competition in the domestic market for centred mushrooms. Accordingly, pursuent to section 332(g) of the Tariff Act of 1930, the President requested the Commission to prepare quarterly statistical reports on U.S. production, sales, inventories, imports, excepts, and appear-

^{*} Pupilir (pp. 60-60) (60 Sep. 107), 1025, uniumbered (67); submedien, 1081

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³ Proceedings Fromprigners for 86th metamorie insections Significant control 5 substitute of the September to the Transfer Schizelands.

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^{*} during report on 5.5 important to common own 1979, c875.

Representation 1986 of the approximate of producers for common own 1979, c875 flustration 1983, 1986.

³ Thire repairable quarter 1975 (481) Equivariant 1975 1975 fourth repairable quarter 1979 (481) Equivariant 1985 (486) transcender quarter 1985 (481) Equivariant 1987 (486)

^{*} Annual region to common year 1975 cB/fC Publication 1050.

Springer agente gjerte 198 (Frammagi), i.B.H. Frammatin 198) 1987 gerine adente gjerte 198 (Fine) i.B.H. Frammatin 1985, 1981

ent consumption of canned mushrooms. These quarterly reports are to be continued until the Commission is notified by USTR trui they are no larger required. The Commission issued two suith quarterly reports in facel 1960.19

After considering the Commission's report on footwear (investigation No. TA-201-18), the President decided not to impose the teriff-rateguota remedy recommended by the Commisean for the mary it found, but rather to negotate orderly marketing agreements limiting the export of certain toolwoor from Talwan and the Republic of Korea to the United States. On June 24, 1977, he announced such agreements covering certain footweer shipped to the United States for the 4 years ending June 30, 1961.14 The President announced that the Commission would some querienty reports showing monthly data on U.S. production, imports for consumption, apparent consumption, employment, and prices. It would also conduct annual surveys of domestic producers with respect to profit, orders, capacity, inventories, prices, capital exprenditures, and research and development expenditures, and annual surveys of importers with respect to prices, orders, and inventories.

During focal year 1980, the Commission assed an annual survey of fortwear producers and importers " and four questerly surveys " The quarterly and annual regions are to contimue for the duration of the orderly marketing

On January 6, 1979, the President, after recawing the Commission's recommendations in connection with investigation No. TA-201-37. improved duty increases on botto, nuts, and large screws of mon or sheet." The increases

are scheduled to remain in effect for 3 years. The Commission is currently manitoring the tasteter industry to determine the effects of the increased duties and in facal year 1980 published one annual* and four quarterly reports." The annual report covered U.S. producers' profits, unfilled orders, inventories, capital expenditures, and capacity, and U.S. importers' untilled orders, inventories, and prices. The quarterly reports provided data on U.S. production, shipments, imports, exports, apparent consumption, employment, man-NOUTS. MITE SHICKS.

On January 16, 1980, the President, after recoving the Commission's recommendations in connection with investigation No. 124-201-38. improsed duty increases on certain nonelectric cooking ware of steel.* The increases are scheduled to remain in effect for 4 years. The Commission is currently monitoring this segment of the nonelectric cooking were industry to determine the effects of the increased duties and has prepared one annual and one semiannual report for the President.⁴ The annual report, for calendar year 1979, covered data on profits, capital expenditures, capacity, and capacity utilization. The semiannual region, covering the last helf of 1979 and the first half of 1980, showed data on U.S. production, U.S. producers' domestic, export, and total shipments, imports, apparent U.S. consumption, employment, and man hours.

Other Periodic Reports

The compilation and publication of the foltowing two series of data began some years ago in response to compressional and general public interest. Series A relates to all motor setricles (i.e., passenger automobiles, trucks, buses, and so furth) and is published annually. in the opining. Series B relates to new passenger automobiles only and is published annually.

* Processing Free servers No. 4016, June 35, 1977, pt. esemblic leading (0) (0.0) () suppl 8, of the departure to the figure

" divings maked for common prior 1976 and 1976 1975. Sarrissianies

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^{*} from reservoir quarter 1979, pilyto fluoringham to 16 1979 Court reserves que les 1979 (ISPS Franciscon 1985) 1986. Tre-seur the support of the street that were supported to the request of the SPR assigned the commission was constituting to invastigation arrise see 50% of the Tupole during 10% day 18,50% and the same

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in the fall. Series A was published in fiscal year 1980, and Series B was completed and awaiting printing at the circle of 2004 year (set).

Automotive Trade Statistics, 1964-79: U.S. Frictory Sales, Imports, Esports, Apperers Consumption, and Trade Balances With Canada and All Other Countries (Series A-Mater Vehicles), USITC Publication 1078, June 1980.

Automotive Trarie Statistics, 1964–79: U.S.
Factory Sales, Ratel Sales, Imports, Exports, Appwert Consumption, Supposed Retail Prices, and U.S. Bilateral Trade Balances With the Eight Major Producing Countries (Series B: Passenger Automobiles), UBITC Publication 1152, October 1980.

SUMMARIES OF TRADE AND TARRES INFORMATION

The Commission periodically publishes a series of summaries of trade and tartif intomation to provide the Congress, the courts, Government agencies, foreign governments, industrial institutions, research and trade organizations, and the general public with information on each of the commodities listed in the Tartif Schedules of the United States.

These summeries provide comprehensive coverage of product uses, manufacturing processes, and commercial practices, and include analysis of the numerous factors affecting U.S. and world trade in each commodity area.

The overall summary program will run several years, ultimately covering all items of the TSUS. In fiscal year 1980, the Commission issued the following summaries:

Title	Contras (6)	Foreign com
Matte can Reddon Res derivers	9,9,9	DATE: 1980
POST (Chicago)	911.0	Series res 1980
Bitestrionia Class and Liquid Supplies gold Biodiscottes Makerie	9.88	Succession 1980

ASSISTANCE TO THE CONGRESS

During fiscal year 1980, the Office of Congressional Lieson continued to provide liaison with the Congress. State and local governments, international organizations, and the independent Federal Government agencies. Responding to congressional inquiries remained a major activity of the Office: the Commission replied to an average of 36 written requests and 74 telephone inquiries each month. In addition, technical assistance was provided on 89 bills, and staff specialists pertropated at a number of congressional committee hearings.

The report on an investigation requested by the House Ways and fifeans Committee in June 1980 and conducted under section 332 of the Tariff Act of 1930, Sludy of the Economic Effects of the Eruptions of Mount St. Helens (No. 332-110), was transmitted to the committee on September 15, 1980. Also, the Commission continued its engoing section 332 investigation on Formulation of an international Commodity Code (No. 332-73), as required by section 608(c)(1) of the Trade Act of 1974.

In response to specific requests by the Chairman of the Subcommittee on Trade of the House Ways and Means Committee, the Office of Economics completed two studies during facel 1980. In October 1979, the Commission submitted the first study, Extending Most-Favored-Rietion Tariff Treatment to the People's Republic of China. Including Analysis of the Trade and Revenue Effects, 1980-84, for use during hearings on extending MRN to China. In February 1980 the Commission submitted a similar report, Extending Most-Favored-Rietion Tariff Treatment to the Union of Soviet Societist Republics: Including Analysis of the Trade and Revenue Effects, 1980-84.

During the year, 11 Members of Congress appeared as witnesses at hearings before the Commission, and written testimony on several cases being investigated by the Commission was received from additional Congressmen.

ORGANIZATION OF THE COMMISSION

On September 30, 1980, the U.S. International Trade Commission was composed of 5 Commissioners and 421 staff members.* The chart on page 52 depicts the Commission's organization at the end of fiscal year 1980.

The Secretary serves the Commission in the conduct of its business and is an official point of contact, in general, with other Govemment agencies and the public. The Public Information Office is the unit in the Office of the Secretary responsible for media relations and consumer affairs. The Director, Office of Executive Lielson. and Special Advisor for Trade Agreements, acts as the Commission's lieison with the President's United Bates Trade Representative and advises the Commission on trade agreements. The General Coursell is the Commission's chief legal officer. The Senior Advisor advises the Commission on a broad range of issues affecting all phases of Commission activity. The Chief Administrative Law Judge presides over section 357 case hearings. The Director, Office of Congressional Lielson, acts as the principal Commission contact with the Sienate and the House of Representatives. The Director of Operations is in charge of carrying out the Commission's substan-Sire day-to-day activities, including investigative duties. The Direcfor of Administration is responsible for support, including Personnel. Finance, Services, and Production.

Mambarship of the Commission

As provided in the Tariff Act of 1930, the six Commissioners of the U.S. International Trade Commission are Presidential appointees who are confirmed by the Senate. Their terms are 9 years in length, unless a Commissioner is appointed to till an unexpired term, and they are not eligible for reappointment if they serve for more than 5 years. By provision of Public Law 95-106 the President is authorized to designate the Chairman and Vice Chairman for 2-year terms. The Chairman and Vice Chairman may not be of the same political porty, nor may the President appoint two Commissioners of the same political party for two consecutive 2-year terms as Chairman. Not more than three Commissioners may belong to the same political party.

At the start of fiscal year 1980, Joseph O. Parker was Chairman, fix served in this capacity until fire retirement from Faderal service effective December 31, 1979. Catherine Bedell was designated by the President to complete Mr. Parker's term and served as Chairman from January 1, 1980, to June 16, 1980, Bill Alberger was appointed by the President to a 2-year term as Chairman effective June 17, 1980, concomitantly, Michael J. Calhoun was designated as Vice Chairman. Bill Alberger served as Vice Chairman during facal year 1980 until the become Chairman.

⁻ Sampringly ampounds; not included

General Coursel	Wichael H. Stein.
Director, Office of Executive Lieison	
and Special Advisor for Trade Agreements	William T. Hart.
Senior Advisor to the Commission	Russel N. Showmaker 1
Secretary to the Commission	Kenneth B. Mason
Director, Office of Congressional Liesson	George L. Hooper
Otreif Administrative Law Judge	Donald K. Duvell.
Administrative Law Judge	Jenet D. Savon.
Director, Office of Administration	Charles B. Remoteix
Oherl, Finance and Builger Division	Edward C. Wellmoton, Jr.
Director of Personnel	Terry P. McGowan
Oherl, Services Division	Remaid P. Free
Otel. Production Division	Kenneth Will Jr
Director of Operations	Charles W Erum
Director of Investigations	E. William Fox 9
Director, New York Field Office *	Water S. Tracevant
Director of Industries	Norra A. Lucch
Chiefs of Divisions	The state of the s
Agriculture, Figheries, and Forest	
Products	Edward P. Fusion
Minerals and Metals	Lerry L. Brookhert
	Armson Jonnerd
Textiles, Leather Products, and	- Seringon goringra
Accessed to the control of the contr	Reuben I Schwartz
	Aaron H. Chesser
Control of the contro	Vacant
The state of the s	Norman S. Fishiota
the same of the sa	Michael J. Charanty
irector. Office of Tariff Affairs	Eugene A. Rosengarden
While Information Officer	Harrist W. Sundatum

Mr. Steventoper content effective part (c. 1961)

The following Commissioners served during fiscal year 1980:

Commissioner Joseph D. Parker, Republican of Virginia. Mr. Planker left the Commission on December 31, 1978. following the expiration of his term on December 16, 1979.

Commissioner George M Moore, Republican of Maryland Mr Moore, whose term was to expire December 16, 1962, resigned effective January 16, 1961.

Commissioner Catherine Bedell Republican

of Washington Mrs. Bedolf's term expires June 16, 1364.

Commissioner Bill Alberger, Denoural of Oregon, Mr. Alberger's term expires December 16, 1985.

Commissioner Paula Stern, Democrat of the District of Columbia Dr. Stern's term expires June 16, 1967

Commissioner Michael J. Cathoun, Independent of the District of Columbia, Mr. Calfour's term expires December 16, 1988.

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[•] The New York Twee Office was announced as a security on this in the Country was its Enterton at the cross of their was 1986.

Sources of Information

Inquiries should be directed to the specific organizational unit or its the Secretary, U.S. Internations: Trade Commission, 731 E Street NW, Washington, D.C. 25436, phone 202-523-5161. Publications may be ordered 24 hours a day, 7 days a week, by calling 202-523-5178.

Facilities for research by the public are tocated in the Office of the Secretary and in the Commission Library.

In addition to its statutory obligations to conduct public investigations, the Commission assists the legislative and everutive transfers of Government and answers many inquiries from the news media and the public. As the interrational economic research arm of the Government, it maintains a 77,000-volume library, which receives about 2,400 periodicals. This facility houses not only publications on international trade and U.S. teriff and commercial policy, but also many business and technical journels. In addition, the Commission's Office of the General Counsel maintains a law library and a comprehensive file of documents on legration affecting U.S. trade.

EMPLOYMENT AND APPROPRIATIONS

In facel year 1980, everage employment—in terms of work-years—was 412, about 6 percent above that of facel year 1979. The following tabulation shows the number of permanent fultime officers and employees of the Commission by organizational units at the close of facel year 1980.

Position at general	Sec. II
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Office of Investigations	
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Office of Sale Superior	- 3
Office of Text office	100
	1000
Total	(60)

The U.S. International Trade Commission submits its budget to the President for transmitted to the Congress. During fiscal year 1980, appropriated funds made available to the Commission amounted to \$15,530,000. Reimbursements received totaled \$20,000, making available a grand total of \$15,550,000. Obligations for fiscal years 1979 and 1980 were as follows:

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A majority of the Commission's employees are housed in the U.S. International Trade Commission Building, at 701 E Street MK? Owing to space timitations, approximately 15 percent of the Commission's employees are tooleted at the Dodge Center, 1010 Wisconsin Avenue MW, and the Bioentennial Building, at 800 E Street MW.

The business was out from 1950 to 1980 profes the opportunities of the transition of the payment the commission rook as approach in the continue in 1951 gifter out the commission control to the formation of the



Labor Accords

(1) The first contract between the Commission and the American Research of Government Employees (NPGE) covering about two-thods of the agency's 655 employees was regulated and agreed by the contracting parties in November 15, 1976. Commission Decimal Joseph C. Remot left, and AFGE cool STIT Precision John Resolve participated in the agency common, Chairman Parker hailed the accessor as representing 's great dep toward in our port embessors to comp aud the public trust that is represent in us.' He also sent the contract will 'help in maintain the approach of acceptant of acceptance for which this agency is rested.'

(2) Chairman Bril Alberger, right, and G. Ray Marshall, President, Graphics Art International Union, Local BBL, shake hands following the June 24, 1986, eigening of a contrast covering the nonsupervisorsy emphisions of the Disprice Section.



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Commission Westings

(3) Specially take alone in turns on words in much fill at the electric facilities (commission magnifule are the turns in white the Commission deliver distinct specially functions and one of magniful termination magniful are made to make the public to make the formally Commission magniful are maintained for magniful to make a vision of the public to make the first make the public to make the first make the magniful termination of the magniful termination at the magniful termination of the magniful ter



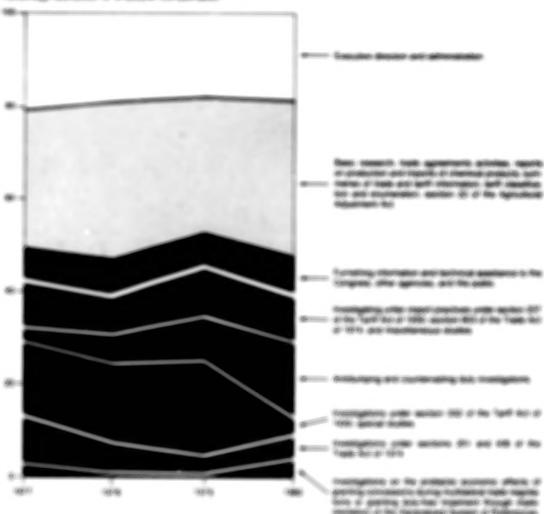
UNITED STATES INTERNATIONAL TRADE COMMISSION

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BUNDARY OF PRINCIPAL ACTIVITIES OF THE U.S. INTERNATIONAL TRADE COMMISSION, FISICAL YEARS 1977-80

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appendix a

appendix b

REPORTS SUBMITTED ON PROPOSED LEGISLATION

- R.B. 1970 Mr. Fuscas)—For the racial of the Minerally of Florida, Galleewise, Florida, Colonier 15, 1979 Florida, Scientified.
- 2. Brill. 1058 (M. Assing)—To extend the particle for dusy-free entity of a 2-80-meter bisecope and executable articles for the use of the Camada-Tanon-Names Telecope Project at Mourie free, Names Science IS, 1079 (Freetan Camadas).
- REB. (IMP) SM: Europe of Terrosposes—To continue with the close of same IR. (IMP). The existing supports of dubes on synthetic ruble. (Orbite: 15). (IMP) Propose Committee).
- 5. Birlik, 2000; Mr. Jacobson, "To entering with sure," I. 1986. The risks incommon on whole teachers and downs. Substitute 21, 1976. Printering Committees, Suppressing reports March 13, 1986. Printering Committees, another report, Solicites 21, 1986. Printering Committees.
- Rell. SIGN: (47 introduce) To among the Train? Schoolston of the Johnson States.
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- 818. 8887 NV. Sourment To austronic until December 31. 1986: a porture of the duties on anomium strate. Secondor 3, 1979 (Trapina Committee).
- 7 618. 6763 NM. Stramont.—To provide duty-free resonant to server sparrage and serving replaceds. Newscriber 55, 1979 Pringeria Committee.
- Crit. 2000 Mt. Filhight. To august the day, on feegth upon with the chair of care St. 1981. Separation 6, 1979 Programs Committee.
- 418. 8132 Mr. Aprill: Politics to its built inspired of option official.
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- 15 676, 580° Mr. Publichiowskii To auguste file during or order Stoyen safe, and accessories until the mass of uses 50. 1985 (britishe 51. 1975 (Treated Committee).
- III 618, 3917 MA. Excitation for the stand of Ottos Microscopi of controls, Sursanan, Otto, Consider St. 1979, Employa Commission.
- 15 R.B. 8862 (M. Russinsosson)—To provide for the temporary expension of this in the improvation of function. Execution 5, 1979 (Finance Committee).
- 15 846, 8687 (dr. lopries Jugi)—To estude demonstrit, the duty on tearium desirge followings 6, 1979 (Fraginia Committee).
- In Bill (1988) (60) Multimost, "For the relief of Bill Paul's Episonomia Disordi. Programma Communicati Stationary 80, 1975; (Francisco Commission).
- 45 B.R. 6000 (Nr. Nov. Part.—"In super, dust, has headman under communication of management of the production of the
- 15 delle distification (communication) de la facilità dell'acceptance delle distinue delle di
- 47 8/8 6000 (6) Recognism—7s among the fault Schoolstee of the prison States to provide for the prison inscribination of and fraction area and to other supplies of social (6) 1975 Modes and Materia and Triples Supplies Suppli
- (4) Brit. Seed. No. Sough. The first contain of Magna Factors provided, Windows Salam. South Experies. Scientific St., 1979. Printerior Experies.
- 15 Bill 878 M. Phillip M. Crands—To make a some poems the deal, on distress made and and other screen transfer products. Securities 9, 1879 Propries and Make and Materia Committees;
- (5) Bill 8798 (65) Description To excepted for a threat-plan partial fine data, of prints from all lates from Securities 5, 1979 (Proprint Committee).
- (F) Bill 6780 (St. Directo Sp. America for less assets the accepting automation of date on automatic sensitive community acceptance (S. 1976).
- 55 Big State (M. Strate). To extend our, from transmitting authors when the community of th

- 20. 448. 4689 Mt. Europe of Terrespond)—To continue with the street of sure 35, 1962, the entering concernation of duties on management are instituting for regimes and entering products. Necessary 31, 1979 Francis Committee.
- 25. By B. Spart (b). Process To provide to the senaction, augmentum of duty, on the importation of core coupling and coupling intermediates. Jack III. The manufacture of photographic sensorization resources to provide to in terms 455,25 and 455,65, resourcess). Technique, 15, 1986.
- 70. 4(8) \$667 on oil is provide for the emperiors, supported of carriers states, is entered carriers except and the extra supported of states, and to offer supported to the extra supported of states, and to offer supported to sent the extra supported of states and extra supported to sent to sent the extra supported of states and extra supported to sent to sent the extra supported of states and extra supported to sent the extra supported of sent to sent the extra supported of sent to sent the extra supported of sent to sent
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 - See, 168, Propo arrow certain August 15, 1980. Eroprom Commisses
 - See, 168, Erroy of company valuables wastern. Augusti 1, 1988; Errogenia Committee).
 - See: NET Maker intermitte dest bermisse alsonie Auaust 21. 1986 (Francis Committee)
 - Seas 1986 Scientifica curring against (1984)00: July 10: 1986 Program Curring Madel
 - Sec. 198. Contr. countries print contr. recommendate. September 2: 1981. Contract Commission.
 - Sec. 198 Exemple of Special States (Special States)
 - See 111 (av) les August 1, 1860 (France Con-
 - See, 156 fee onting martines. August 1, 1965. Propose Committee:
 - San 110 Maps solving markines (Luguel & 1997) Program Committati
- 50. 616 6660 MV Laborary For Fig. 8007 of Fig. 201, research full use and Community, Santas of Philipper arise Surrections Asserting St. 675
- 57 6r8 6960 NN Stumpers To process the Toriff Street, see of the critical States with consent in the other season was discret in 1986.
- 50 010 0000 MM Separations for the cares of the Francisco challes Mathematic Charles Majorin St. 1989. Majoria para Majoria Francistado pero Augusto 1 1989. Primeros Franciscos.
- 50 6-6 60/9 Mr. Writing To proper the Tariff Screen case of the critical Business in causes the state, on carsery fractional part of concurrent Contracts, 57 1986.
- 20 Crit Sept No. Schuler To continue and the construction of Author or continue accordance of Author or continue of continue accordance of Author or continue of continue accordance of the continue of continue accordance of con
- 9 0.9 0.00 (65 Faposa) Po greene hig Pipell Science into at Pipell Science States in account to a distribution of the state of the s

- 50 419, 4000 DM: Currie of Debugger;—To accord the temporary supportion of Sub- on Guaradisin fulfills officials with the class of June 36, 1960, April 28, 1986.
- 418. 6079 (M. Shamon)—To support the duty on traditional global in a emission scale with the store of Stramone 21, 1980, April 9, 1986.
- 20. 418, 9460 (Mr. Marris)—To amount the Transf Schwarzster of the United States regarding the sale of disks that may be proviously by the Persolated with recessed to pages reports. April 111, 1986.
- 4 (8, 6075) (M. Laille) To acceptant for a financyana partial file fact, on water characterist and describes among Majorit 24, 1986.
- 20. 618. 66007 EM. Evans of the Arcent suscents To garety data from resolution arrates constant arratements on the artificial producted in the massive processors of the strikes States and to differ autoposes. March. 19, 1986.
- 27 418, 660% NV. Front of Terromonous —To commission frontier, an increased emission, April 26, 1986 (Messale and Messal Commission) and August 6, 1986 (Trapped Commission).
- 28 649. RBSH RM. Schulder—Fo paterns until date 1. 1960 For Suiz-Rose error of Traces and Reserve seems conting regulations. May 5, 1960.
- 50 B.S. Sept. Mr. Restriction The automorphism and comcate, 5, 1986. Res Aut. on contain the entiring manetimes. May, 57, 1986.
- 60 B. Region (EP. Propose). To amount the Top of Schools also of the Arrival States in another to make the Arrival on another individual separatements, acquire to the distriction attention and the season attention from white the entire attention in the loss attention from white the entire attention is made attention for the entire than a transfer of the entire attention and another account that are a season attention and a season attention.
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- E. B. B. Fridge (Mr. Crotter). To appearing for the account. The error state file duty, an earthur director following. May 21: 1989. Mayor and Mayors Committees: good Supplements (M. 1986; Proposed Committee).
- 40 Bill 768 (65 Junioro 7s marrier) & the annexts may be but, or business with the annex of filesonses 5. 1881 May 6 1881.
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- (ii) B. 9779 Mr. Company. To extend to an additional summan, admire the existing expension of distribuon extend impacting time of parties of eth. May, 57-1989.
- 40 B. 7798 NB come of Polishuma To grading this "soft Summarian of the efficient Summer in comment this scientific of progradies first range for exceptional distrition features of progradies in the course assessments.

- and entered by returning United States residents. August 22, 1986.
- 47 E. 1994 (Mr. Sentaent)—To eutopend the duty on "reight cars until the close of June 20, 1981. (Sevender 6, 1979).
- 45 B. 1980 (Mr. Stentoen)—To amend the Tanth Schoolides of the United States with respect to centure crel propert November 20, 1979.
- 49 B. 1938 (Mr. Heing)—For the raisel of the Chrosso Collect Crd Community Conter, Philadelphia, Paresterioris, November 16, 1979.
- 80 B. 1758 NA Melauragal—To arrand the Tariff Birheliules of the United States to repeal the duty on centern family/sesses and birocculars. November 8, 1979.

- S. 1776 (Mr. Tower)—To improve quantitative restructions on the importation of lemb need. March 16, 1980.
- 52 B. 1962 (Mr. DeConcint)—To provide for a component suppression of duty with respect to certain pageses: Nects 24, 1960.
- 8. 2000 (bit Nation)—To prohibit until January 1, 1960. The conversion of the rates of sluty on certain intercepts lead to all valorem equivalents, fragriery 25, 1980.
- 54. B. 2008 (Mr. Heind)—To continue until the plane of June 20, 1962, the existing suspension of duties on concentrate of pages stress March 24, 1965.
- 8. 2009 (Mr. Herio)—To partie until July 1, 1982.
 the duty-has entity of Troop and Resolvel warp anding machines. May 8, 1980.

appendix c

KEY STATUTES INVOLVING THE U.S. INTERNATIONAL TRADE COMMISSION

Sec. 201, Trade Act of 1974 (Escape-Clause Investigations), Import Relief for Domestic Industries.

When: The Commission conducts investigations upon its own motion or upon petition on behalf of a firm, a group of workers, or other entity representative of an industry to determine whether an article is being imported in such increased quantities as to be a substantial cause of serious mury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

Duration: The investigation must be completed not later than 6 months after being instituted.

Finding: If the Commission's finding is affirmative it must recommend a remedy to the President, who has discretion to take action to provide import relef, such as an increase in duties, the establishment of quantitative restrictions, the negotiation of orderly marketing ingreements, or specified types of adjustment assistance to groups of workers, firms, or communities.

Followup: The Commission reports with respect to developments within an industry that has been granted import relief and advises the President of the probable economic effect of the reduction or the stimination of the tariff increase that has been granted.

Sec. 337, Tariff Act of 1990 (Investigations of Unitair Practices in Import Trade)

When: The Commission, after receipt of a compliant under eath from an interested party or upon its own motion, conducts investigations to determine whether unfair methods of competition or unlair acts are occurring in the importation of articles into the United States or in their sale.

Duration: The investigation must be completed in no more than 1 year, or 18 months in a more complicated case, after the date of publication of notice of investigation in the Federal Register.

Finding: If the Commission determines that the importation of such articles is such that the effect or tendency is to destroy or substantially injure an efficiently and economically operated industry, or to prevent the establishment of such an industry, or to restrain or monopolize trade and commerce, it may issue orders excluding the articles from entry or issue crease and desirel orders. The President may disapprove these actions within 60 days after issuence of the Commission's determination.

Sec. 703(a), Tariff Act of 1930 (Preliminary Countervalling Duty Investigations), Subsidized Imports

When: The Commission inform the simultaneous filing of a propor petition with it and the Dispartment of Commerce, conducts investigations to determine, on the basis of the best information evaluable.

to it at the time of the determination, whether there is a reasonable indication that an industry is materially injured, or is threatened with meterial injury, or the establishment of an industry is materially retarded, by reason of imports of the altegody subsidized merchandiae which is the subject of the investigation by Commerce.

Duration: The investigation must be completed within 45 days of the receipt of the petition.

Finding: If the Commission's determination is affirmative, Commerce continues its investigation.

Sec. 705(b), Tariff Act of 1990 (Final Countervalling Cuty Investigations), Subsidized Inguris

Wheth: The Commission, after a preliminary determination by the Secretary of Commerce that imported articles are subsidized, conducts investigations to determine whether an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of the subsidized merchandise.

Duration: The investigation must usually be compileted within 120 days after an affirmative preliminary determination by the Secretary of Commerce or 45 days after an affirmative final determination by the Secretary of Commerce that a subsidy is being provided, whichever is tonger.

Finding: If the Commission's determination is affirmative, the Secretary of Commerce imposes a countervaling duty on imports of the articles in question.

Sec. 733(a), Tariff Act of 1930 (Preliminary Artidumping Investigations), Imports Marketed at Less Than Fair Value

When: The Communion, after the simultaneous filing of a proper petition with it and the Department of Commerce, conducts investigations to determine, on the basis of the best information evaluable to it all the time of the determination, whether there is a resourceble indication that an industry is materially injured, or is threatened with material injury, or the establishment of an industry is materially retarded, by reason of imports of the allegedly dumped merchandise which is the subject of the investigation by Commercia.

Duration: The investigation must be complaced within 45 days of receipt of the petition.

Finding: If the Commission's determination is affirmative, Commerce continues its investigation.

Sec. 735(b), Tariff Act of 1990 (Final Antidumping Investigations), Imports Marketed at Less Than Feir Value

When: The Commission, after a preliminary determination by the Secretary of Commerce that imported articles are being, or are likely to be, sold at less than fair value, conducts investigations to determine whether an industry in the United States is materially injured, or is treatment of an industry in the United States is materially retarded, by reason of imports of the dumped merchandise.

Duration: The investigation must usually be completed within 120 days after an affirmative preliminary determination by the Secretary of Commerce or 45 days after an affirmative final determination by the Secretary of Commerce that the imported articles are being, or are likely to be, sold at less than fair value.

Finding: If the Commission's determination is attirmative, the Secretary of Commerce imposes a dumping duty on imports of the articles in question.

Sec. 332, Tariff Act of 1930 (General-Purpose Investigations)

When: Upon official request or upon the own motion, the Commission initiates a facifinding investigation on any matter involving tariffs and international trade. This broad provision aflows the Commission to investigate trade matters of immediate concern to the Government and the public.

Duration: Unless otherwise directed. The

Commission establishes an administrative deadline.

Finding: Unless the President or the Congress directs otherwise, the Coneniusion's reports are made available to all interested parties, the general public, the President and executive departments, and the Congress.

Sec. 22, Agricultural Adjustment Act, Import Interference With Agricultural Programs

The Commission conducts investigations at the direction of the President to determine whether any articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with programs of the Department of Agriculture for agricultural commodities or products thereof, or to reduce substantially the amount of any product processed in the United States from such commodities or products, and makes findings and recommendations to the President. The President may restrict the imports in question by improsition of either import fees or quoties.

OTHER AREAS OF INVOLVEMENT BY STATUTE

Stephowal of Stournies or Cirarits on Impaints

The Commission determines, with respect to any duty-free article on which the Secretary of the Tressury has determined that a bounty or grant is being paid, whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such article. (Sec. 303, Taurit Act of 1930, 46 Stat. 867.)

Uniform Statistical Data

The Commission, in cooperation with the Secretary of the Treasury and the Secretary of Commerce, establishes for statistical purposes an enumeration of articles imported into the United States and exported from the United States, and seeks to establish comparability of such statistics with statistical programs for domisetic production.

In conjunction with such activities, the Commission and the Secretary of Commerce are to identify concepts underlying the formulation of an international commodity code for reporting transactions in international trade and to report thereon to the Congress. (Sec. 484(e), Tariff Act of 1930, 19 U.S.C. 1484(e), sec. 608, Trade Act of 1974.)

Tariff Schedules of the United States Annotated

The Commission issues a publication conteining U.S. teriff schedules and related material and considers questions concerning the errangement of such schedules and the classification of articles. (Sec. 201, Tariff Classification Act of 1962, 76 Stat. 74; secs. 332(a) and 484(a), Tariff Act of 1930, 19 U.S.C. 1932(a) and 19 U.S.C. 1484(a).)

Epriff Dummeries

The Commission prepares and publishes, from time to time, a series of summaries of trade and tariff information. These summaries contain descriptions (in terms of the Tariff Schedules of the United States) of the thousands of products improhed into the Inited States, methods of production, and the extent and relative importance of U.S. consumption, production, and trade, together with certain basic factors affecting the competitive position and economic feasith of domestic industries. (Sec. 250, Tariff Act of 1930, 19 U.S.C. 1932.)

Advice Concerning Trade Negotiations

The Commission advises the President as to the probable economic affect an domestic industries and consumers of modification of duties and other barriers to trade which may be considered for inclusion in any proposed trade agreement with foreign countries (Sec. 121, Trade Act of 1974, 19 U.S.C. 2151.)

Generalized System of Freferences.

With respect to articles which may be considered for duty-free treatment when imported from designated developing countries, the Commission advises the President as to the probable economic effect of the removel of 6Jy on the domestic industry and on consumers. (Secs. 131 and 503, Trade Act of 1974; 19 U.S.C. 2151, 2163.)

East West Trade Monitoring System

The Commission monitors imports into the united States from numbered economy counties and makes a report not less frequently than once each calender quarter on the effect of such imports on the production of like or directly competitive articles in the United States and on employment within the industry. (Sec. 411), Trade Act of 1974; 19 U.S.C. 2940.)

Trade With Communist Countries

The Commission makes investigations to determine whether increased imports of an article produced in a Communist country are causing market disruption in the United States. If the Commission's determination is in the affirmative, the President may take the same action as in a case involving injury to an industry, except that the action would apprly only to imports if the article from the Communist country. (Sec. 406, Trude Act of 1974, 1910.5.C. 2406.)





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